

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: TAS et al.

Serial No.: 10/617,133 Group Art Unit: 1614

Filed: 7/11/03 Examiner: unassigned

For: METHOD OF PREPARING POROUS CALCIUM PHOSPHATE MORSELS AND

GRANULES VIA GELATIN PROCESSING

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

## **Timing and Fees**

$\boxtimes$	Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this i disclosure statement is filed:			
			three months of the filing date of a national application other than a CPA § 1.53(d);	
			three months of the actual filing date of the national phase of a PCT ation; OR	
	$\boxtimes$	before RCE).	the mailing of a first substantive office action (including after filing of an	
	Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the p specified in 37 C.F.R. § 1.97(b), but before the mailing date of:			
			a final rejection under 37 C.F.R. 1.113;	
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR	
			a notice of allowance under 37 C.F.R. § 1.311; and	

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**DOCKET NO.: MAIKO-0021** 

	is accompanied by:				
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR		
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).		
		37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing the following actions which have not been withdrawn:			
			a final action under 37 C.F.R. § 1.113;		
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR		
			a notice of allowance under 37 C.F.R. § 1.311;		
	AND i	s filed o	on or before payment of the issue fee; AND is accompanied by:		
			the statement as specified in 37 C.F.R. $\S$ 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. $\S$ 1.17(p).		
Statem	nents Ur	nder 37	C.F.R. 1.97(e)		
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or		
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.		
Cited I	Materia	<u>ls</u>			
		Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120 ancestor application Serial No, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).			
			of materials listed but not attached were cited in an international search dated		
	$\boxtimes$	Copies	of the materials listed are attached (except for the foregoing).		
			<u> </u>		

Non-E	ngnsn i	Language References		
		An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).		
		A foreign-language search report from a foreign patent office is provided, an pertinent parts are translated substantively below:		
		<ul> <li>X = document of particular relevance when it is taken alone</li> <li>Y = document of particular relevance when it is combined with another such document</li> </ul>		
		A = document defining the general state of the art		
		O = non-written disclosure		
		P = intercalated document		
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	Please	charge to Deposit Account No. 13-3402 \$ for the fee identified above.		

 $\boxtimes$ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

James E. Ruland, Reg. No. 37,432 Attorney/Agent for Applicants

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Attorney Docket No.: MAIKO-0021

Date: 25 January 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known Application Number 10/617,133 Filing Date 7/11/03 First Named Inventor TAS et al. Group Art Unit 1614 **Examiner Name** unassigned

(use as many sheets as necessary)

Sheet Attorney Docket Number **MAIKO-0021** 

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	т:
		Bigi A. et al.: "Bonelike apatite growth on hydroxyapatite-gelatin sponges from simulated body fluid", J. BIOMET. MATER RES., vol. 59, 2002, pages 709-714, XP002260940	
		DATABASE WPI, Section Ch, Week 198725, Derwent Publications Ltd., London, GB; Class D22, An 1987-174387, XP002260941	•
		European Search Report of EP Ap. No. 03 01 3341, dated 11 November 2003.	
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Examiner	Date	
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